

Bond Case Briefs

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CONTRACTS - OHIO

Swan Super Cleaners, Inc. v. Franklin County Board of Commissioners

Court of Appeals of Ohio, Tenth District, Franklin County - December 12, 2017 - N.E.3d - 2017 WL 6337238 - 2017 -Ohio- 8978

Dry cleaning company, as unsuccessful bidder for cleaning services contract, brought action against county board of commissioners and moved for temporary restraining order.

The Court of Common Pleas denied company's motion. Company amended its complaint to add competing dry cleaning company, to seek preliminary and permanent injunction enjoining board from awarding contract to competing company, which had already been awarded, and for an order awarding contract to company, or for declaration that bidding process be rebid.

The Court of Common Pleas granted summary judgment in favor of both board and competing company. Company appealed.

The Court of Appeals held that appeal was moot, since, inter alia, contract had been awarded to competing company.

Dry cleaning company's appeal of trial court's summary judgment in favor of competing dry cleaning company and county board of commissioners, in company's action for declaratory and injunctive relief challenging award of contract to competing company, was moot, since after company's motion for temporary restraining order was denied, company failed to obtain injunction enjoining award of contract to competing company pending appeal, contract was awarded to competing company, and company sought relief that only concerned bidding of contract.